

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA

v.

CRIMINAL NOS. 1:03-00155-02
2:05-00149-01

MONICA LORRAINE AMAKER

MEMORANDUM OPINION AND ORDER

Pending before the court is defendant's motion, filed in both of her criminal cases, to run the sentences imposed in those two criminal cases concurrently. (Doc. Nos. 251 and 104 respectively). The court may not modify a term of imprisonment once it has been imposed except in very limited circumstances, none of which are present here. See 18 U.S.C. § 3582(c); U.S. v. Hudson, 2002 WL 1980686 (10th Cir. 2002); U.S. v. Fraley, 988 F.2d 4 (4th Cir. 1993). At defendant's sentencing in Criminal Action No. 2:05-00149, the Judgment Order makes clear that the court specifically considered its ability to impose a sentence that was to run concurrent or consecutive to the sentence previously imposed in Criminal Action No. 1:03-00155 and ordered that the sentences were to run consecutively. See Doc. No. 67 in Criminal No. 2:05-00149. Accordingly, defendant's motion is DENIED.

The Clerk is directed to send a copy of this Memorandum Opinion and Order to defendant, counsel of record, and the Probation Office of this court.

It is SO ORDERED this 30th day of June, 2016.

ENTER:

A handwritten signature in cursive script, reading "David A. Faber", is written over a horizontal line.

David A. Faber
Senior United States District Judge